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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/280,791	03/26/1999	FENG QIN	09019.0058US	6335

7590 03/11/2002

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EXAMINER
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PRATT, CHRISTOPHER C

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 03/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

T-D-16

<b>Office Action Summary</b>	<b>Applicati n No.</b>	<b>Applicant(s)</b>	
	09/280,791	QIN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Christopher C. Pratt	1771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 November 2001 .
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23,26-34 and 37-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23,26-34 and 37-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendments and accompanying remarks filed 11/9/01 have been entered and carefully considered. Applicant's amendments are not found to patentably distinguish the claims over the prior art and Applicant's arguments are not found persuasive of patentability for reasons set forth herein below.

### ***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-2, 5, 11-16, 18-20, 29-31, 34, and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honeycutt (5207873), as previously set forth.

Applicant has added a bursting strength value to independent claim 34. Applicant has added a new independent claim reciting substantially the same limitations as claim 34, but with an added tensile strength property. It is the examiners position that if these properties are not inherent in the web of Honeycutt then it would have been obvious to the skilled artisan to impart these strength properties to Honeycutt's web. Honeycutt's web, as with applicant's claimed web, does not have any additional binding means other than hydroentangling. Therefore, strength is added to the web by increasing entanglement imparted through the hydroentangling. It would have been obvious to the skilled artisan to entangle Honeycutt's web to have applicant's claimed strength properties. Such a modification would have been motivated by the desire to increase the strength of the web and render it suitable for uses where it would be

subjected to increased stress. The examiner also notes that applicant's web is used for the same purposes as the web of Honeycutt.

Applicant has not set forth any further arguments or stated why the web of Honeycutt would not inherently have the instantly claimed strength properties.

3. Claims 1-2, 4-7, 9-12, 14-19, 29-31, 34, and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamura et al (5882780), as previously set forth.

It is the examiners position that if the newly added strength properties are not inherent in the web of Yamamura then it would have been obvious to the skilled artisan to impart these strength properties to Yamamura's web. Yamamura's web, as with applicant's claimed web, does not have any additional binding means other than hydroentangling. Therefore, strength is added to the web by increasing entanglement imparted through the hydroentangling. It would have been obvious to the skilled artisan to entangle Yamamura's web to have applicant's claimed strength properties. Such a modification would have been motivated by the desire to increase the strength of the web and render it suitable for uses where it would be subjected to increased stress. The examiner also notes that applicant's web is used for the same purposes as the web of Yamamura.

Applicant has not set forth any further arguments or stated why the web of Yamamura would not inherently have the instantly claimed strength properties.

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4. Claims 3, 8, and 21-23, 26-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over both Honeycutt (5207837) and Yamamura (5882780) in view of Chen et al (5990377), as set forth in the last two actions and untraversed by applicant.


**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Pratt whose telephone number is 703-305-6559. The examiner can normally be reached on Monday - Friday from 7 am to 4 pm.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 703-308-2414. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Christopher C. Pratt  
March 5, 2002

  
TERREL MORRIS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700